

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KENTUCKY INSURANCE GUARANTEE
ASSOCIATION,

Plaintiff,

v.

S&A CONSTRUCTORS *et al.*,

Defendant.

Civil Action

No. 17-cv-1400

ORDER

AND NOW, this 21st day of September, 2022, upon consideration of Defendants' Motion for Summary Judgment (ECF No. 63), Plaintiff's Motion for Partial Summary Judgment (ECF No. 64), the responses and replies thereto (ECF Nos. 66, 67, 68, 69, 72, 73, 74, and 75), and the supplemental memoranda filed in response to my prior orders (ECF Nos 77, 78, 80, 81, 82, and 84), and for the reasons set forth in the accompanying Memorandum Opinion, it is hereby **ORDERED** that:

1. Defendants' Motion for Summary Judgment (ECF No. 63) is **DENIED**.
2. Plaintiff's Motion for Summary Judgment (ECF No. 64) is **GRANTED in part and DENIED in part** as follows:
 - a. Plaintiff's Motion is **DENIED** insofar as Defendants are entitled to a set-off for Plaintiff's recovery of \$80,769.99 in First Sealord's liquidation proceeding.
 - b. Plaintiff's Motion is **GRANTED** in all other respects.
3. A status conference regarding the remaining issues in the case will be scheduled by a separate notice.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.